the Examiner clarify this inconsistency and notify the undersigned counsel by telephone (212-682-9640) on the status of this document and confirm the entry thereof.

Independent claims 1, 4, 7, 10, 13 and 14 have been amended. Attached hereto is a marked-up version of the changes made to the claims by this Amendment. This marked-up version has been entitled "Version With Markings To Show Changes Made."

Claims 1-14 stand rejected under 35 U.S.C. § 102(e) as being anticipated by the Sato et al., U.S. Patent No. 6,108,638. This rejection is respectfully traversed and reconsideration is requested.

Independent claims 1, 4, 7, 10, 13 and 14 have been amended to better define applicant's invention. In particular applicant's independent claims 1, 7 and 13 now recite in one form or another separately calculating a use charge of an input/output device and a use charge of application software. Independent claims 4, 10 and 14, in turn, now recite not only calculating a use charge of a device for inputting or outputting but also calculating a use charge of application software used to use the device. Such constructions are not taught or suggested by the cited Sato, et al. patent.

The Sato, et al. patent discloses a data processing system in which barcodes on products are read by a plurality of input units and the products are registered. A processing unit calculates a total price of the registered products for each of the plurality of input units.

Thus, the Sato, et al. patent merely teaches calculating a total price of products bought by a user. However, the patent makes no mention of calculating a use charge of application software and an input/output device. Applicant's amended independent claims 1, 4, 7, 10, 13 and 14, and their respective dependent claims, thus patentably distinguish over the Sato, et al. patent.

In view of the above, it is submitted that applicant's claims, as amended, patentably

distinguish over the cited art of record. Accordingly, reconsideration of the claims is

respectfully requested

Dated: February 27, 2003   Respectfully submitted,
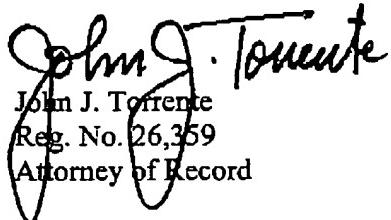
ROBIN BLECKER & DALEY   John J. Torrente
330 Madison Avenue   Reg. No. 26,359
New York, New York 10017   Attorney of Record
T (212) 682-9640

Version With Markings To Show Changes Made

IN THE CLAIMS

Amend claims 1, 4, 7, 10 and 13-14 as follows:

1.   (Amended) A charge calculation apparatus comprising:

data processing means for creating and/or editing data using application software;

input/output means for inputting or outputting data using a data input/output device

[connected to said charge calculation apparatus or a data input/output device connected

through a network]; and

calculation means for <u>separately</u> calculating a <u>use</u> charge [for] <u>of</u> the data input/output

device[, or] <u>and</u> a <u>use</u> charge [for] <u>of</u> the application software [independently of the charge for

the data input/output device].

4.   (Amended) A charge calculation apparatus comprising:

first calculation means for calculating a <u>use</u> charge [for] <u>of</u> a device for inputting or

outputting data; and

second calculation means for calculating a <u>use</u> charge [for] <u>of</u> application software

used to use the device.

7.   (Amended) A charge calculation method comprising:

[the] <u>a</u> data processing step of creating and/or editing data using application software;

[the] <u>an</u> input/output step of inputting or outputting data using a data input/output

device [connected to said charge calculation apparatus or a data input/output device connected

through a network]; and

[the] a calculation step of separately calculating a use charge [for] of the data

input/output device[, or] and a use charge [for] of the application software [independently of

the charge for the data input/output device].

10.   (Amended) A charge calculation method comprising:

[the] a first calculation step of calculating a use charge [for] of a device for inputting

or outputting data; and

[the] second calculation step of calculating a use charge [for] of application software

used to use the device.

13.   (Amended) A computer-readable storage medium which stores program codes of a

charge calculation method, comprising:

a code of [the] a data processing step of creating and/or

editing data using application software;

a code of [the] an input/output step of inputting or outputting data using a data

input/output device [connected to said charge calculation apparatus or a data input/output

device connected through a network]; and

a code of [the] a calculation step of separately calculating a use charge [for] of the data

input/output device[, or] and a use charge [for] of the application software [independently of

the charge for the data input/output device].

14.   (Amended) A computer-readable storage medium which stores program codes of a

charge calculation method, comprising:

a code of [the] a first calculation step of calculating a use charge [for] of a device for

inputting or outputting data; and

a code of [the] a second calculation step of calculating a use charge [for] of application

software used to use the device.